

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

C.M., the Student, and B.M. and Ca.M.,)
the Student's Parents,)
)
Plaintiffs,)
)
v.) **No. 3:20-cv-1088**
)
RUTHERFORD COUNTY SCHOOLS.)
)
Defendant.)

ORDER

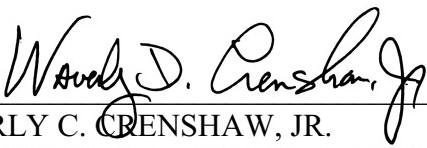
For the reasons set forth in the accompanying Memorandum Opinion, the Court rules:

- (1) The Report and Recommendation ("R&R") (Doc. No. 47) is **ACCEPTED IN PART** and **DENIED IN PART** as follows:
- (A) The R&R is **ACCEPTED** insofar as it found that Rutherford County Schools ("RRCS") did not violate the interpreter provisions of 30 C.F.R. § 300.321(a)(5);
- (B) The R&R is **REJECTED** insofar as it found (i) RCS predetermined Language! to be C.M.'s reading program, and his accommodations; and (ii) RCS failed to provide relevant data;
- (2) The parties' cross Motions for Judgment on the Administrative Record (Doc. No. 29, 32) are **GRANTED IN PART** and **REJECTED IN PART**, consistent with the foregoing rulings on the R&R. With this ruling, the Clerk shall term both motions as pending, but that termination is **WITHOUT PREJUDICE** to either party file a renewed motion should mediation prove unsuccessful;
- (3) The parties shall mediate the issues of whether RCS violated the IDEA by failing to

develop an IEP that adequately accommodated C.M.'s needs, and/or by unevenly and insufficiently implementing the Language! program in relation to his seventh grade year; and

(4) The Court will hold a status conference on **April 12, 2022**, at 9:00 a.m. to set a timetable for mediation, to schedule supplemental briefing, and to schedule a hearing, should one become necessary.

IT IS SO ORDERED.



WAVERLY C. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE